

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

|                                                 |   |                                |
|-------------------------------------------------|---|--------------------------------|
| <b>REX SHRUM,</b>                               | ) |                                |
|                                                 | ) |                                |
| <b>Plaintiff,</b>                               | ) |                                |
| <b>vs.</b>                                      | ) | <b>Case No. CIV 03-465-KEW</b> |
|                                                 | ) |                                |
| <b>CITY OF COWETA a municipal corporation,)</b> | ) |                                |
| <b>STEVEN C. WHITLOCK, and DERRICK )</b>        | ) |                                |
| <b>PALMER, individually,</b>                    | ) |                                |
|                                                 | ) |                                |
| <b>Defendants.</b>                              | ) |                                |

**DEFENDANTS'  
MOTION FOR SUMMARY JUDGMENT**

Defendants City of Coweta and Derrick Palmer move for summary judgment on the grounds that, based upon the uncontroverted facts in this case, Defendants are entitled to summary judgment as a matter of law. In support of their Motion for Summary Judgment, Defendants have this date filed their Brief in Support of Defendants' Motion for Summary Judgment.

**ELLER AND DETRICH  
A Professional Corporation**

/s/ James C. Hodges  
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CITY OF COWETA AND  
DERRICK PALMER**

**CERTIFICATE OF SERVICE**

I, James C. Hodges, hereby certify that on the 3<sup>rd</sup> day of January, 2007, the foregoing document was electronically transmitted to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

James R. Moore

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I hereby certify that on the 3<sup>rd</sup> day of January, 2007, a true and correct copy of the above and foregoing was mailed with sufficient postage thereon to the following:

Douglas D. Vernier, Esq.

James Patrick Hunt, Esq.

James R. Moore, Esq.

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/s/ James C. Hodges

James C. Hodges

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